

REMARKS

Claims 1-8 are pending in this application. By this Response, claims 1, 5 and 8 are amended. Reconsideration and allowance based on the above-amendments and following remarks are respectfully requested.

The Office Action rejects claims 1-8 under 35 U.S.C. §103(a) as being unpatentable over Ishigami, et al. (U.S. 2002/0118291). This rejection is respectfully traversed.

The Examiner alleges that Ishigami teaches each and every feature of the claimed invention except for features of the color filter segments being arranged in a vertical stripe pattern. The Examiner alleges that this particular feature is obvious and takes official notice. Applicant respectfully disagrees with the Examiner's allegations.

Ishigami teaches the use of a CCD device in which the light receiving portions that include photosensors are arranged in the conventional matrix or square format. See Figs. 1, 9 and 23 and column 4, paragraph 75. As stated by the Examiner, in the Office Action on page 2, Ishigami performs shifting using the vertical and horizontal CCD registers. The Examiner relates the shifting teaching in Ishigami to applicant's claimed photosensitive cells being shifted in position from adjoining photosensitive cells.

Applicant respectfully submits that the Examiner has misconstrued the term "shifted" in the claims as referring to the shifting of signal charges as taught in Ishigami. Applicant submits that the term "shifted" in the claims

refers to the photosensitive cells ~~position~~ in relation to each other and not signal charges. Further, Ishigami in fact teaches away from a shifted photosensitive cell arrangement, as claimed by applicant. As illustrated above, Ishigami teaches a square matrix arrangement for photosensors and does not provide the shifted arrangement as claimed and taught in the present invention.

The Examiner has also taken official notice in regard to the claimed features of the color filter segment R, G, B being arranged in a vertical stripe pattern. Applicant respectfully submits that if such a feature is so common as to take official notice, then a reference should be available that teaches such a feature. Applicant respectfully requests the Examiner provide such a reference in any further Office Action.

Further, applicant respectfully submits that one of ordinary skill in the art would not be motivated to combine such teaching with that of Ishigami to achieve applicant's claimed invention. First, for the reasons stated above, Ishigami fails to teach all of the claimed features for which it was provided. Second, Ishigami teaches the intermingling of R, G, B color filters within the photosensor matrix array. See Figs. 14 and 23. Ishigami does not provide any motivation to arrange the color filters in a vertical stripe pattern in which the segments of a same color form a column in the vertical direction, as recited in applicant's claims.

Thus, Ishigami fails to teach or suggest, *inter alia*, photosensitive sales for photoelectrically transducing incident light representative of a scene, said photosensitive cells being arranged by dimensionally, in such positions that each of said photosensitive cells is shifted in position from adjoining ones of said photosensitive cells in a horizontal and a vertical direction and a colored filter having R (red), G (green) and B (blue) color filter segments for separating colors of the incident light, each of the color filters segments being positioned in front of a particular one of said photosensitive cells in a direction of the incident light and being arranged in a vertical stripe pattern in which the segments of a same color form a column in a vertical direction, as recited in independent claims 1 and 5.

In view of the above, applicant respectfully submits that Ishigami fails to teach each and every feature of the claimed invention. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Conclusion

For at least these reasons, it is respectfully submitted that claims 1-8 are distinguishable over the cited art. Favorable consideration and prompt allowance are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings (Reg. No. 48,917) at the telephone number of the undersigned below, to

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conduct an interview in an effort to expedite prosecution in connection with the present application.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant respectfully petitions for a two (2) month extension of time for filing a reply in connection with the present application, and the required fee of \$420.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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By 

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Attachment(s)